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MAIL SEIZED IN '72 IS FOUND BY C.I.A.

**Colby Apologizes to Postal
Chief Over Discovery on
Shelf of an Office**

Special to The New York Times

WASHINGTON, July 17—Postmaster General Benjamin F. Bailar disclosed late today that 85 postcards and 25 letters intercepted more than three years ago by the Central Intelligence Agency had just been found on a shelf at an agency office.

The mail, all from the Soviet Union to United States residents, had been opened, read and relayed to Washington through Latin America in an inexplicable process, according to an apologetic letter to Mr. Bailar yesterday from William E. Colby, the Director of Central Intelligence.

Mr. Bailar made public the Colby letter, along with the Postmaster General's angry reply that "it is an understatement to tell you I am shocked."

The Postmaster General announced that both the Department of Justice and the Postal Inspection Service would investigate the mail interception. He said that the postcards and letters had already been seized by the Justice Department pending possible legal action against those responsible for opening and detaining it.

"The events you describe in your letter," Mr. Bailar wrote to Mr. Colby, "stand in clear violation of the sanctity of the mails and threaten to shake public confidence in the integrity of the mail."

Other Information Sought

He urged the C.I.A. director to determine whether other mail had unaccountably been detained as a result of the agency's interception of mail to and from the Soviet Union from 1953 to 1973. The interception of millions of pieces of mail was disclosed last month by the Rockefeller commission, in a report that termed the activity "unlawful."

The letter to Mr. Bailar from Mr. Colby, dated yesterday, said that the mail had been found "on a shelf in a securely vaulted area" of an unidentified agency office facility. Mr. Colby said that the mail, along with a registered mail receipt and two Hungarian and one Swedish customs declaration, had been attached to "a dispatch from one of our installations in Latin America dated March 27, 1972."

Mr. Colby's letter said that the dispatch, evidently from a C.I.A. agent stationed in Latin America, reported that the intercepted mail had been sent in a package mailed by an unnamed "New York firm" to a United States resident of the Latin-American country.

Although Mr. Colby said there was no indication how or why the mail had been sent to the individual, it eventually was passed on to the C.I.A. and the contents recorded in files of the Soviet mail intercept that the agency operated secretly in New York City.

Forwarded for Mailing

Mr. Colby's letter said that the mail had been discovered "in the course of a recent, routine change in office space assigned to a unit" of the intelligence agency. The letter said that the C.I.A. files bore no information as to why the mail had been left on the shelf. "As it is clear that the senders of this mail intended it to be delivered," Mr. Colby wrote Mr. Bailar, "I am forwarding it to you for appropriate handling."

He suggested that Mr. Bailar notify the intended recipients that the fault was the C.I.A.'s and that Mr. Colby extended a "sincere apology."

The mail having been seized by investigators, Mr. Bailar said he had drafted letters to the intended recipients explaining the situation and declaring that the Postal Service "considers this incident a serious violation of your rights."

The Postmaster General said he was assured by Mr. Colby last spring that the C.I.A. had discontinued its mail intercept operations. As distressing as that discovery was, Mr. Bailar said, "the revelation that mail was removed from the international mail stream, opened and retained indefinitely, is doubly disturbing."

He demanded of Mr. Colby that "any such mail still held by the Central Intelligence Agency immediately be turned over to the Postal Service for delivery."

Grove Formally Sues the C.I.A.

Grove Press formally filed suit in Federal District Court here accusing the Central Intelligence Agency of bombing, wiretapping and infiltrating the offices of the publishing company. A spokesman for the C.I.A. said later that the agency had no comment on the suit.